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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/087,433 Confirmation No.: 3428  
Applicant(s): Hung Viet Ngo  
Filed: 3/1/2002  
Art Unit: 2874  
Examiner: Kang, Juliana K.  
Title: Angled Optical Connector Adapter Mounting Assembly  
Attorney Docket No.: 003A.0043.U1(US)  
Customer No.: 29,683

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Response To Office Action

Sir:

This is in response to the Office Action mailed 10/28/2004 in regard to the above-identified patent application.

Claims 1-28, 42 and 43 have been allowed. Claims 29-41 were rejected under 35 U.S.C. §103(a) as being unpatentable over Duran (US 6,688,780) in view of Benner et al. (US 6,568,861). The examiner is requested to reconsider this rejection.

It is believed that Benner et al. is not a proper reference. The present application has a filing date of March 1, 2002. Benner et al. issued on May 27, 2003. Benner et al. is owned by the same owner as the present application: FCI Americas Technology, Inc. (assignment document recorded on 03/02/2002 at Reel 012671, Frame 0001). Benner et al. and the present application were, at the time the invention of the present application was made, commonly owned. The examiner is directed to MPEP §706.02(1)(2). In accordance with MPEP

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§706.02(1)(2)(II), it is understood that this statement alone is sufficient evidence to disqualify Benner et al. from being used in a rejection under 35 U.S.C. §103(a) against the claims of the present application. Thus, the examiner is requested to withdraw the rejections based upon Benner et al.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the Examiner is invited to call applicant's Attorney at the telephone number indicated below.

Respectfully submitted,

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Mark F. Harrington (Reg. No. 31,686)

12/15/04  
Date

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

12/15/2004  
Date

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Name of Person Making Deposit